

S P E E C H  
OF THE

HON. GLENNI W. SCOFIELD,  
OF PENNSYLVANIA,

ON THE BILL OF H. WINTER DAVIS, "TO GUARANTEE TO CERTAIN STATES,  
WHOSE GOVERNMENTS ARE USURPED OR OVERTHROWN, A  
REPUBLICAN FORM OF GOVERNMENT."

DELIVERED IN THE HOUSE OF REPRESENTATIVES,  
APRIL 29, 1864.

Mr. SCOFIELD said—

Mr. SPEAKER:—The continuity of constitutional government in the seceded States has been broken—the regular transmission of political power interrupted. How shall the severed thread be joined? By the unconstrained action of the people themselves, say the gentlemen in opposition. Very good, sir. I most heartily indorse that sentiment. When the people of these States shall voluntarily ground the arms of their rebellion, and uncoerced take upon themselves the easy yoke and light burden of the ever gentle Federal Government, it will mark a glad day in these uncheerful years of our history. For one, I will be ready to hail it. I presume I may speak for my political associates; we will all be ready to hail it. Your care-worn President and weary Army—*weary with, but not of, the battle*—will be ready to hail it. The Federal arm, now raised in such terrible power in defense of the life and liberties of the nation, will fall as gently as the tenderest sympathizer will ask upon the heads of repentant and pardoned offenders. But that bright day does not yet dawn. These erring prodigals still prefer the husks of transgression to the fatted calf with which their old political allies would entice them back to party—perhaps to duty. Your calf has grown to be an ox, so long do they tarry in revolt; and I fear they will continue to neglect your feast until our gallant Army shall bring them to their stomachs.

In the meanwhile some kind of government ought to be estab-

lished in those States from which the hostile army has been excluded; and while we wait the return of friendly popular action there, Congress must legislate or leave the people in the rough hand of military law. This bill, designed to discharge that congressional duty, provides a temporary government and a practical mode of State restoration. I will not enter into a criticism of its many details, for I suppose they will be generally acceptable to any one who concedes the propriety of any congressional action. Its three prohibitions, as it strikes me, are the most noticeable and perhaps only debatable points. It prohibits the assumption of rebel debts, prohibits rebel officers from voting, and prohibits involuntary servitude.

The first I will pass by with the single remark that to assume the rebel debt would be to offer a high bounty for future rebellions, and I suppose we will have enough of this one never to want another.

I have but a word for the second prohibition: The ballot is the sovereign of this country, and if you permit these officers to vote you make them, to the extent of their numbers and influence, the rulers of the land. To-day you meet them in battle as outlaws and traitors, conquer them, and crown them your king to-morrow. If ordinary criminals are properly excluded from the polls, upon what principle of comparative justice can these men, guilty, not as subordinates or accessories but as contrivers and leaders of a crime recognized by all Governments as the highest or deepest that can be committed against human laws, ask the high privilege of the ballot through which they may complete the ruin of the country they were not quite able to destroy in the field? Of the third prohibition I have something more to say.

Mr. Speaker, if God shall give us victory, and enable us to subdue or scatter the army of the enemy, is a voluntary reunion of the States possible? I say *voluntary* because I suppose nobody desires a Union always to be maintained by force; and I use the word *reunion* because nobody proposes a form of Government different from our present system of State brotherhood. I am not now speaking of the several plans of reconstruction, for they are designed only as temporary devices, looking to a reunion—a kind of scaffolding for repairs, to be torn away when the repairs are completed. My question looks beyond the battle and beyond reconstruction. When the victory is won, if won it shall be, and the transition over, will the insurgent States *willingly stay* where they have been *forcibly put* in their old places in the old Union? It has been said by gentlemen in opposition, and it seems to me with great truth, that as at present constituted or situated, they will not. They disliked the Union three years ago too much to remain in it, and dislike has deepened into hate now by the severity of the war. They tell us that Ireland, Poland, and Hungary—suggestive names I admit—after so many years of compulsory alliance,



do not yet fraternize with their political associates. They still sigh for separation, and impatiently await the opportune hour in which to strike for independence. What then? Shall these States be permitted to depart? No, sir. The great Republic could not survive the amputation. Shall they be retained, then, in the long future, by military force? No, sir. Our own liberties could not survive their permanent subjugation. When the Federal Government becomes strong enough to hold eleven States as colonies, it will be too strong, I fear, for the people's liberties. To repeat my idea, if you allow a single stone to drop from the national edifice, the whole structure may fall; but if that stone must be held in its place by drafts upon its surroundings, supporting nothing itself, the building were stronger without it. This brings me to the paradoxical conclusion that we can neither *allow* these States to depart, nor forever *force* them to remain. How can the paradox be solved? By making them *willing* to remain, or if this language still sounds paradoxical, I will say by removing all motive to depart. How can that be done?

Mr. Speaker, similarity of ideas is the bond of nationality. Contiguity of territory is nothing, natural boundaries are nothing, except as they are tributary to unity of thought. Ireland is indeed restless, but her restlessness is not owing to unslumbering animosities of civil wars. Such wars have been more frequent and more severe between different parts of England and between England and Scotland than they ever were between England and Ireland; and yet the people of these sections of the British empire cordially fraternize. Nor is it owing to English subjugation, for Ireland is no more subjugated to England than Massachusetts is to New York. She is a part of the United Kingdom of Great Britain, possessing the same rights as any other part, with a proportionate representation in Parliament and all departments of Government. English people and Irish people do not think alike. That is the trouble. They differ in religion—a difference that more than anything else has been the cause of popular estrangement throughout the world. They have each a long independent national history, full of glorious traditions; and national thoughts and feelings, long flowing in a particular direction, cut their channels rudely, but deep, and do not readily follow new though better channels of political science. These differences of sentiment are only removed by years, perhaps centuries, of political and social intercourse. But in the case of Ireland this necessary intercourse was cut off by an intervening sea, a sea that under the old system of navigation was as wide, almost, as an ocean in our day. The same or similar things may be said of Poland and Hungary. They had even a greater difference in language, and in the case of Poland there was a wide difference in the form of government. Having been accustomed to a kind of republic, she was placed under the control of a solid, silent,

cast-iron, absolute monarchy. There is no analogy between these countries and ours. All our States prefer a government republican in form. Even the insurgent States adopted a constitution almost exactly like the one they attempted to abandon. We have the same national history. Whatever there may be in the past, either of suffering or achievement, worthy to be remembered or cherished, is the common property and pride of all the States. We follow the same fashions, speak the same language, and worship at the same altar. No mountains, no seas divide us. On the contrary, the shape of your territory and the course of your rivers are of themselves a revelation that the Union of the States is an ordinance of God.

We have but one cause of estrangement, the difference of opinion upon the subject of slavery. Upon that subject can the North and the South be induced to think alike? Can the North be induced to sanction slavery and think with the South, or can the South be induced to abandon slavery and think with the North? Either course would accomplish the purpose. Is either practical, and if so, which is most practical? For I will not now ask which is most just. Many persons will not consider these questions because they think there is an easier and better way. Let the North and the South, say they, agree to disagree about slavery, each section retaining and acting upon its own opinions unmolested by the other. This theory is plausible; it involves no expensive and troublesome change. I blame no one for adopting it, for I am myself one of its aforetime believers. I never could bring my mind to doubt its practicability until I actually saw the dissatisfied States go out. Even when warned in advance that these States would secede unless the North suppressed their own views of slavery and adopted or silently acquiesced in the views of the South, I confess I was incredulous. I still believed we could hold the Union together and each section retain and utter its own sentiments. But the moment the people decided that a man holding the sentiments of the North was not thereby disqualified to hold a Federal office, secession followed. Experience, that high-priced school in which it is said the dumbest learn, has taught its lesson. The theory has failed upon trial. Each section, I know, charges the failure to the other. "You wrote and spoke and agitated against slavery," says the South, "and thus irritated and maddened our people into rebellion;" "and you," says the North, "annexed Texas and tried to annex Cuba for the sake of slavery, and insisted upon extending it to California and Kansas, and thus forced us to discuss its merits." Blame whom you please, the slave-holders, the abolitionists, or both; the fault was in the theory. It was not possible to ignore a great subject like slavery, connected, as it was, with all our business and all our politics, in this busy, thinking, many-tongued Republic.

The Democratic party North that clung to this theory so long,



and sacrificed to it so much of party ascendancy, acting, quite likely, from patriotic motives, are very slow to comprehend and accept its fallacy, now so clearly demonstrated, although they were the prophets of its failure. They cannot see, they say, why slavery and freedom cannot coexist in the same country. Why, sir, they can coexist, but not in a country of unlicensed presses and uncensored debates without provoking discussions on many questions of conflicting interest, and this discussion they concede, nay, they charge, provokes rebellion. The revolted States, knowing that discussion was irrepressible, and fearing that it was inimical to their institution, gathered up their slave investments and walked out of the Union, leaving their old allies doubly amazed—amazed to see the theory in which they had so long believed fail, and the prophecy of its failure, in which they never did believe, fulfilled. A witty Democrat, in speaking of this prophecy by one party and its denial by the other, said to me the other day there was this difference between us, “You lied when you thought you were speaking the truth, and we spoke the truth when we thought we were lying.” They are still bewildered. I can think of no apter comparison than a hen with a double brood of chickens and ducks. Sometimes they try by tender clucking to call back to the peaceful shore the brood of secessionists, hatched by their false theories of State sovereignty and concessions to the slave power, and again they flutter to the water’s edge and contemplate embarking with them upon the chill waves of revolution. The wild ducks of the South took readily to this dangerous element, but so far their twin-hatched chickens have been content to cackle on land.

But to come back to the point. Our fathers, say the advocates of this theory, lived in peace upon the same principle. A precedent is always good with a lawyer and if our fathers lived in peace if only for half a century upon this compromise, we can certainly follow their example. But those who cite the precedent mistake the facts in the case. The compromise of our fathers was, that slavery should be tolerated for a time with the understanding that it should be gradually relinquished. They did not expect both ideas, slavery and freedom, to go hand in hand throughout the whole life of the Republic. Slavery was to recede slowly and freedom follow steadily. Upon that basis they did get along very well, and so could we. Territorial acquisitions and certain discoveries in the material arts, as it is said, changed the attitude of slavery altogether. Instead of consenting to go out, it demanded expansion and perpetuity. Instead of remaining subordinate, it claimed to be the national idea and denounced freedom as sectional. This was just reversing the compromise of our fathers, and of course it had to be discussed, and at this the slave interest took umbrage and resorted to secession and war. If, then, these two systems cannot coexist without causing discussion, and slavery

will not brook discussion, it is clear we cannot have a voluntary reunion unless one sentiment or the other becomes predominant. The North and the South must learn to think alike upon this subject; or agree to submit their differences to general and free debate, taking no appeal from popular legislative, and judicial action and decision, except according to the forms of the Constitution, or, upon a rehearing, to ask the second sober thought of the people upon any point supposed to be settled wrong. But the slave interest, anticipating unfavorable action and therefore refusing to abide by the decisions of this constitutional umpire, leaves us no alternative. To live in peace together we must embrace slavery or they must abandon it.

"Homogeneity," said Jeff. Davis at Montgomery. His opinion, I know, is very poor authority with this House, but I believe he has thought more profoundly upon this subject than any muddle-brained advocate of mixture in the country. His head is clear though his heart is cold. Just the reverse is true of those well meaning and perhaps patriotic gentlemen with us who still believe in the union of opposites and the harmony of extremes; their hearts are tender and so are their heads.

If, then, likeness of sentiment is the surest bound of a permanent and peaceful Union, which can be most easily adopted as the national standard, slavery or freedom? To adopt slavery involves a change of opinion on the part of a great many people, twenty millions in the free States alone; for slavery never had any real friends in the free States. Those who are sometimes so considered were only its apologists. How can you change the opinions of twenty or thirty millions of people? Remember, sir, that opinions are not voluntary things, to be taken up and laid down at pleasure. The mind deals in proofs. Belief follows evidence. But if three years ago slavery could find no real admirers in the free States, who will be its champions now, since it has crowned its many alleged offences against the rights of man with this bloody treason against the mildest and most beneficent Government in the world? Many, I am sure, who took its dark hand then, not in friendship, but only in token of constitutional obligation, will recoil from it now in horror when they see it extended reddened with the blood of our thousands slain. On the other hand, to adopt freedom as the national idea, involves only a change of investment. That may not be easy, it will be attended with loss, trouble, and sacrifice; but still it is possible, while a change of opinion without new proofs is not. It is from this view of the case that thousands of men, formerly pro-slavery from principle and practice, have become anti-slavery from Union policy. Living in slave States, they did not regard the institution as immoral, and therefore sanctioned it. But when they saw it used by anti-republicans, and disguised monarchists, for the subversion of popular liberty and the division of this Government—a Government weak, in-



deed, when in conflict with the feelings of its honest citizens, but always majestically strong when its flag was assailed—into two insignificant, wrangling, and hostile nationalities, they rose above local prejudices and State policy and personal interest, and said to anti-slavery men and patriotic men everywhere, we will join you to save our country, to overthrow the rebellion, and to break into fragments the stone upon which it is built. For the present extinguish the great conflagration; for the future remove the inflammable material from which it was kindled. For the present seize the mad revolutionists of the South; for the future destroy the virus that poisoned their blood.

In the debate here a few days ago, the consistency of some gentlemen from the loyal slave States who were said to be moderate emancipationists many years ago, and are only moderately so now, was contrasted with the alleged changes of their more radical colleagues. Gentlemen who boast of their consistency seem often to forget that there is such a thing as being upon different sides of the same question at different times and each time right. The question itself often changes sides. I can very well understand how a citizen of a slave State many years ago, giving little attention to the morality of the institution, might fall in with the settled policy of his section and decline to disturb the harmony of his neighborhood by what might seem to him then the unnecessary or untimely introduction of abolition agitation, and yet now become an earnest and honest emancipationist in the belief that emancipation alone could preserve the unity of the country. There is such a thing as being right in the wrong time and wrong in the right time. I do not say that those who introduced emancipation in the slave States many years ago were right in the wrong time, but sure I am that all such gentlemen who retard emancipation now are wrong in the right time. But this plan of Union does not necessarily involve immediate emancipation, and I therefore hail all whose labors tend, however slow, to the general result as co-workers, for a voluntary and peaceful reunion of all the States.

In these remarks I have confined myself to a single point, the presentation of slavery as an element of discord and disunion, and as such asked its removal. I have waived its inhumanity to the slave, its corruption of the master, its injustice to white labor, its impoverishment of the soil, its intolerance in politics, its despotism in government, its inconsistency in all things. Advocating State sovereignty, it blots out all divisions of its empire, molds all its States into a single power, and calls it the "South." Professing liberality, it yet proscribes from the lowest office the most exalted patriotism, the most brilliant abilities, the highest learning, and the purest integrity, if found blended with the slightest compassion for the slave. Claiming

to be law-abiding, the mob, the bowie-knife and the bludgeon are its chief ministers of justice. Professing to be constitutional, it suspends the great writ of liberty in time of peace, tramples down the trial by jury when found in its way, contracts freedom of speech to the right to advocate its unchristian cause, revives constructive treason, and in Philadelphia, Boston, and Kansas indicts of that high crime respectable citizens who spoke too rudely of its traffic in men. All this, and much more, I have omitted because they were not in the line of my present purpose.

And now I call upon those gentlemen who think there are some concessions within the range of possibility which if made would conciliate the slave power, and restore the Union without the necessity of resorting to emancipation, to point out what they are! Name the items. Of course you will not mention the proclamation, confiscation, and what you call the unconstitutional acts of the Administration, for the rebellion preceded all these. On the territorial question there was nothing left to concede. The Wilmot proviso had been voted down, the Missouri compromise repealed, and the Dred Scott opinion ordered and obtained. Even James Buchanan, so gifted in abasement, could find nothing more in the shape of theory to give them, and in its stead tendered them the low villainy of Lecompton. The fugitive act of 1850, with its slave-hunting officers, the *posse comitatus* the conclusive affidavit of the master, *habeas corpus* and trial by jury abolished; and the United States to foot the bill, left nothing more to be conceded here.

Concession exhausted and conciliation still a failure! Hereafter let all concession be in favor of freedom; and in all our legislation let us approximate, as rapidly as the interests of the two races will permit, the homogeneity of universal emancipation; and upon that basis make the Union perpetual.